Programs Branch

User Report

OFFENDER CHANGE: AN EFFECTIVE ALTERNATIVE TO INCARCERATION

NO. 1984-31

87-04224/

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This working paper was prepared under contract with the Ministry of the Solicitor General of Canada and is made available as received from the contractor. The opinions expressed in this working paper are those of the authors and do not necessarily reflect the opinions of the Ministry.

This working paper is available in French. Ce document de travail est disponible en français.

This report proposes reducing prison populations by the implementation of intervention strategies which can influence the behavior of offenders such that they are unlikely to persist in criminal acts which would lead to their entry or re-entry into prisons.

SYSTEM CHANGE

Our proposal differs considerably from most proposals for reducing prison populations. We make no recommendations with respect to reducing sentence length, eliminating mandatory prison sentences, decriminalizing specific offences, or liberalizing parole and other release practices. Such approches have been recommended frequently and eloquently and while each has some merit, evidence for their effectiveness in reducing prison populations is lacking. The available research indicates that they have minimal impact on prison admission rates and most serve only to delay the offender's incarceration, not to prevent it.[1]

Another disadvantage of such changes are that each entails a trade-off: the benefits achieved by changes in one area of the criminal justice system are offset by the negative effects they elicit in other aspects of the system. For example, any reduction in penitentiary populations achieved by reducing sentence lengths may be counteracted by increases in the

population of already overcrowded provincial institutions. Reducing sentence lengths may also undermine the public's confidence in law and order. Moreover, reducing the length of time offenders remain in prison may reduce current populations temporarily but subsequently yield increases in prison populations as judges react by increasing sentences lengths in a compensatory manner.

The major shortcoming of such recommendations is that to be effective they require wrenching system changes. Each requires changes in the policy and practices of other aspects of the criminal justice system. There are few instances in history where correctional problems such as overcrowding have motivated major modifications in the broader criminal justice system. Changing sentences requires changing laws or changing judges. Changing parole practices requires changing parole regulations or principles, or changing parole boards. Changing almost any aspect of the criminal justice system requires changing public opinion. These are not enviable tasks. In our opinion it is easier to change most offenders than it is to change laws, judges, or the public!

Decriminalization, abolishing mandatory or minimum sentences, streamlining prison processing and release procedures, or limiting prison sentences to serious offences, may all be valuable goals in their own right. However, they are likely to have little benefit in terms of changing the behavior of offenders. If the criminal behavior of the offenders persists it is likely that the benefits of such system modifications would be no more

than temporary since the public, the police, and the judiciary would likely demand a return to more punitive approaches with a consequent increase in prison populations. In our view, decreasing the use of prison sanctions must be accompanied by correctional initiatives which reduce the criminal behavior of those who otherwise would be subjected to prison terms. Such an issue is seldom addressed in the vast criminological literature on prison overcrowding or prison abolition.

COMMUNITY PROGRAMS

Our proposal also makes no suggestions for increases in the variety, availability, or use of community alternatives to prison. The criminological literature is replete with recommendations that prison sentences be replaced by community-based programs. These recommendations are based on a number of humanitarian principles and on the growing recognition that prisons can be excessively harsh, expensive and ineffective means of modifying criminal behavior.

An impressive variety of community alternatives have been developed including fines, restitution, community service-orders, community residential centres and the like. Some of these programs have been in place for close to a century, e.g. probation; others are of more recent vintage. There is no shortage of community-based alternatives which could be adopted by a criminal justice system which is committed to reducing the use of prison sanctions. In our view it is unlikely that any new alternatives

will be developed which comprise anything other than refinements of those which have already been implemented. Moreover, in our view, the solution to the problems of overcrowding are unlikely to be achieved by the introduction of new or modified alternatives or by the increased use of those already established but only by increasing their effectiveness.

As we noted in the case of sentencing and release changes, there is very little evidence that the adoption of community-based sanctions and programs has been associated with reductions in prison populations. Some research indicates that their implementation has affected not the size of the prison population but only the size of the criminal justice population as individuals who would not before have been involved have been drawn into the system. They have often been used not as alternatives to prisons but as additional penalties for those individuals who would not otherwise have received a prison sentence.[2] The community-based population has increased but the prison population has not decreased.[3]

The case for the efficacy of the majority of community-based programs in reducing the criminal behavior of offenders, thereby reducing the number who would receive a prison sentence, has also not been made. Evaluations suggest that most community programs are no more effective than those conducted in prisons.[4] Perhaps this is not surprising since the justification for introducing most of these programs was humanitarian and economic, not effectiveness. They were to serve as alternatives to expensive and excessively punitive prison sentences. The fact

that recidivism rate for a community-based program is no higher than for a prison does not mean that the program has been effective. The achievement of recidivism rates equal to a slightly less than the notoriously high recidivism rates of prison provides little reason for celebration. In fact, such results might justify the conclusion that such programs are a failure even though they may provide substitutes for prison for some offenders.

It is highly questionable whether such programs actually reduce the size of penitentiary populations. Many, perhaps the majority, of the offenders placed in community programs have been offenders whose offence would not merit a penitentiary sentence.

Many, perhaps most incarcerated offenders, have previously been involved in community programs and such programs have obviously failed to stop their criminal behavior. One must question whether simply increasing the availability of such programs without increasing their effectiveness is likely to influence the size of prison populations.[5]

EFFECTIVE CORRECTIONS

Reductions in prison populations can be achieved by improvements in the criminal justice practices which lead to offender change. By offender change we do not mean fundamental changes in the offender's personality but changes in his attitudes or his behavior. As this report will document, there are a

considerable number of crime prevention and correctional intervention techniques and programs which have been demonstrated to be effective in reducing criminal behavior. They have done so by teaching the offender new social skills or by influencing their thinking such that they come to perceive prosocial behavior as an attractive and rewarding alternative to criminal behavior.

OFFENDER CHANGE

There are three major ways in which the criminal justice system has strived to effect offender change:

1. Environmental design - designing environments in such a way that the offender recognizes that the probability of being caught is too high to justify the risk involved or that the effort required to commit a criminal act is too great for the reward it might yield.

2. Deterrence - increasing the certainty of being apprehend and punished and the certainty and severity of punishment such that the offender realizes that negative consequences of criminal behavior do not justify the potential rewards.

3. Treatment - a broad range of individual and group programs incorporating a variety of techniques designed to modify the offender's skills, attitudes, or behavior.

Our proposal for reducing prison populations is based on extensive and thorough critical reviews of the extant research

literature on each of the above offender change strategies. In reviewing the literature we paid particular attention to differentiating between programs and strategies which appear or have been claimed to be effective and those which have actually been demonstrated to be so in methodologically adequate research. In this report we provide only the major conclusions of our reviews as they relate to prison population considerations. Documentation of the evidence for these conclusions is presented elsewhere.[6] In addition, we describe the conclusions of research on assessment/classification techniques which indicates that improving these services can substantially reduce prison populations.

ENVIRONMENTAL DESIGN

Environmental design is a method of situational crime prevention which attempts to prevent crime by designing or changing environments in such a way that a potential offender will be dissuaded from committing a crime because it is difficult or because there is a strong likelihood that he will be apprehended.

Environmental design is not usually described as an offender change strategy. In fact, much of the recent upsurge of interest in the approach followed the general disenchantment with other approaches to crime control.[7] We choose to view it as an offender change strategy because of an assumption about criminal behavior on which it is based. The assumption, which is seldom

stated explicitly, is that an offender's decision to commit a crime is determined by his assessment not only of the possible rewards it will reap but also the amount of effort and the degree of risk it entails. Accordingly, it seems reasonable to change the offender's disposition to commit crimes by engineering the environment in such a way that the effort and risk involved in committing a crime become too high. By reducing the opportunities for crime, it is reasoned, or by increasing surveillance such that apprehension is likely, we can change the offender's behavior.

There are several approaches which can be used:

1. Target hardening - increasing the physical security of the potential targets.
2. Target removal - removing targets, e.g. coin boxes which attract the offender.
3. Removing the means to commit crime, e.g. gun control.
4. Reducing the payoff, e.g. operation identification.
5. Formal surveillance, e.g. special police patrols.
6. Natural surveillance, e.g. architectural solutions such as increasing lighting.[8]
7. Surveillance by employees, e.g. hiring caretakers.
8. Environmental management, e.g. crowd control.

Although there has recently been a number of situational crime prevention projects and extensive public education programs, research regarding the efficacy of environmental design is still in its infancy. The projects that have been studied in the U.S. (such studies are rare in Canada) have been large scale interventions involving restructuring of large city neighborhoods

with evaluations entailing cross-comparisons of crime rates across several cities in which programs were not launched. After a decade or so of conducting such research it has been realized that such megaprojects are extremely difficult to control, operate efficiently, or interpret adequately.[9] Virtually no firm conclusions have been reached except that environmental design may be architecturally aesthetic and not financially prohibitive.

The literature provides strong arguments for this approach but little empirical data to support the arguments. Cause and effect information is absent. The strongest evidence presented is for self-evident relationships such as stronger doors reduce the risk of burglary, better lighting decreases fear and hidden cameras aid prosecution. However, the effects are often small and transitory. A brief examination of the three most touted projects will illustrate the problems and the shortcomings of this approach.

The highly publicized Seattle project is probably the best designed project and the one that reports the most positive results.[10] It provided residential security inspection, ID, block watch programs and citizen awareness programs. Burglary rates were decreased only 3.8%. Moreover, as the researchers comment, the program may have produced only marginal cost savings, and its effectiveness might last only 12-18 months. They also reported that the program was not applicable in several situations and that there was a problem with data collection.

The next two programs were somewhat similar but also involved architectural restructuring, street design, and other environmental controls. The Hartford program reported an initial decrease in residential burglary, but after 2 years there were no decreases in burglary or several other crime indices.[11] There was some evidence that the residents' fear of crime decreased, but these gains were slight and were not correlated with crime reduction. The Portland project reported a 1.4% reduction in commercial burglaries but no decrease in street crime, residential burglary and commercial robbery.[12] Fear of crime was not affected. Quality of "life" and business sales showed some improvement, but disillusionment among business and community members occurred later on.

The British approach[13] has been quite different. Home Office programs have tended to be smaller in scale. They have studied the effects of (1) steering column locks on car thefts, (2) supervision on bus vandalism, (3) natural surveillance on vandalism to phone booths, (4) closed circuit T.V. on thefts in subways, (5) media programs on car theft and vandalism, (6) police car security programs, (7) police truancy patrols. The results overall are very mixed and,with the possible exception of steering column locks,the authors are very cautious in their views about effectiveness. Negative results were the norm, not the exception, and in some cases the procedures were very expensive.

The enthusiasm that heralded the early development of environmental design has not been justified by its results. However, an adequate assessment of its value must await research.

It does appear clear that its value in reducing the size of penitentiary populations is limited. Although it may deter the low risk offender who would be unlikely to be incarcerated in any case, it probably has little impact on serious offenders.

DETERRENCE

The oldest, most constant and popular approach of the criminal justice system to offender change has been deterrence.[14] In essence, deterrence is punishment. It consists of imposing, or threatening to impose aversive consequences on the individual who is considering or has committed a crime. It is based on the assumption that criminal behavior is a rational act and that the offender or potential offender will choose not to offend when the punishment outweighs the rewards of criminal behavior.[15]

There have been six recent comprehensive reviews of the voluminous research on deterrence.[16] All of the reviews agree that although methodological problems preclude firm conclusions, the research raises major doubts about the value of this approach to offender change.

The three deterrence procedures which have been studied most frequently are:

1. Increasing the probability of apprehension by providing more resources to the police,
2. Increasing the probability that arrest will lead to imprisonment,
3. Increasing the severity of punishment (e.g. longer incapacitation).

The following is a brief synopsis of the conclusions of this research:

1. Several studies have found that the greater the probability of apprehension/imprisonment, the lower the crime rate. However, the correlations found were usually very low and sometimes were negative, i.e. the higher the probability of apprehension/ imprisonment, the higher the crime rate. The relationships differed considerably for different crimes and in different jurisdictions. In short, the potency of deterrence is weak and highly inconsistent.

2. Most of the research has been conducted on minor offences. The effects of deterrence on serious offences is unclear.

3. The benefits of deterrence in suppressing crime are very temporary.[17] Moreover, deterrence strategies often produce only a change in the kind of crimes committed or a displacement of the criminal activity to another geographic location.

4. Using longer sentences has very little deterrence effect on crime rates.

5. A major increase in prison populations would result from attempting to increase deterrence effects by increasing incarceration. It has been estimated

that a 3% to 10% increase in prison populations would be required for a 1% reduction in crime.

6. Increased use of incarceration as a deterrence approach has been estimated to increase the cost of corrections by 300% to 500%.

7. The elimination of incarceration would likely yield only a 5% to 10% increase in crime.

8. A tenfold increase in apprehension and conviction of offenders could possibly reduce crime rates fivefold. However, it is not a simple matter to increase apprehension and conviction. Apprehension is a police function and not particularly flexible; conviction is a prosecutorial and judicial function and the rules of evidence and procedural guidelines are not easily changed. There are also limits to the amount of imprisonment a society is willing to accept and pay for.

8. Increasing the certainty or severity of punishment works best for those who are least likely to experience the punishment: non-offenders.

9. Selective incapacitation, i.e. increasing the use of imprisonment for the most serious offenders - violent offenders - is fraught with problems because of difficulties in predicting violence. The results of some studies are disquieting: For every correct identification of a potentially aggressive individual

there were 326 incorrect identifications. Eighty-six percent of the subjects identified as violent did not commit a violent act. For every 20 predictions there were 19 cases that would be incorrectly identified as being potentially violent. False positive rates as high as 65% have been found: 65% of the sample would be predicted to be violent when in fact they were not so. However, this may be a case where a trade-off between increased incapacitation and the protection of society is necessary.

10. There is some evidence that deterrence can be effective with some types of traffic offences and income tax evasion. However, such offenders make up a miniscule percentage of the penitentiary population.

11. There are large individual differences in the effects of deterrence. What we define as punishment may be viewed by some offenders as not even midly aversive. Some offenders, perhaps the most persistent, are little affected by punishment. Many offenders, perhaps the most persistent, never consider the possible consequences of their acts. There is also some evidence to suggest that punishment may actually <u>increase</u> the persistence of anti-social behavior in some offenders.

From a psychological perspective, deterrence has little reality or meaning for many offenders. Many offenders are sublimely optimistic. They believe (not incorrectly) that they

will not be caught; if caught, not convicted; if convicted, not sentenced; if sentenced, not imprisoned; if imprisoned, quickly released. Improving the speed and certainty of apprehension and conviction, and increasing the aversive consequences for criminal acts is an appealing and deceptively simple approach to changing such individuals. However, research has indicated that deterrence is a poorly understood, highly complicated, inordinately expensive, and questionably effective approach to offender change and one which raises difficult legal, ethical and moral issues. It is also an approach which would yield intolerable increases in the size of prison populations.

We surmise that one of the reasons for the limited effectiveness of deterrence is that it is a unitary approach. The criminal behavior of many offenders is multi-determined. It is a consequence of complex interactions between physical, environmental, social and psychological factors and cannot be changed easily, quickly or reliably by the use of criminal sanctions alone.

In the next section we discuss an alternative approach; one which does justice to the complexities of criminal behavior. The application of negative consequences for anti-social behavior is not contra-indicated by the approach we advocate. In fact, the model we propose stresses the importance of confronting offenders with the consequences of their behavior and teaching them to consider them before they act.

TREATMENT

Whereas deterrence and environmental design approaches have enjoyed considerable popularity over the past decade, the third major approach to offender change, rehabilitation, has been almost totally rejected. Many widely publicized reviews of the literature have concluded that in correctional rehabilitation "almost nothing works".[18] Motivated, in part, by these reviews, most correctional policy-makers have abandoned rehabilitation. Ironically, more recent and more through reviews of the research literature clearly demonstrate that there is far more evidence of the effectiveness of correctional rehabilitation programs than for deterrence or for any other correctional enterprise designed to prevent crime or reduce recidivism.[19, 20].

There is convincing evidence that offender change can be engendered by correctional treatment programs. A substantial number of treatment programs have been demonstrated to be effective in crime prevention and offender rehabilitation. Major reductions in the frequency and severity of criminal acts have been achieved through such programs. Reductions in recidivism ranging from 30% to 60% have been demonstrated in well controlled studies. These are far superior to the gains reported for any other correctional effort.

Effective treatment programs have been conducted in a wide variety of correctional settings and with a wide variety of offenders. Most of the successful treatment programs have been conducted in community settings. They have

achieved substantial effects in prevention programs for pre-delinquents, in diversion programs for adolescent offenders, and in probation and community residential settings for hard-core juvenile and adult offenders. There have also been effective programs in institutional settings for recidivistic adolescent and adult offenders. Such programs have been successful in dissuading offenders from persisting in criminal behavior which would lead to their incarceration. Moreover, such programs have substantially reduced the likelihood that incarcerated offenders would return to prison following their release.

In contrast to the effects claimed for other approaches to reducing prison populations, the treatment effects are not just temporary. Dramatic effects have been found in follow-ups as long as three to fifteen years after treatment.

In contrast to research on other proposed alternatives, the results of effective treatment programs have been demonstrated by methodologically impressive research using techniques as rigorous as one can find in any criminal justice enterprise. Thirty-three percent of the studies employed true experimental designs with random assignment of subjects. Twenty-three percent provided baseline comparisons. Twenty-five percent used matched groups or comparison groups. The quality of program evaluation of these treatment efforts is superior to the quality of evaluation of any other correctional approach.

In short, the evidence of the success of correctional treatment is far greater than is the evidence of the success of other correctional approaches and it is based on more sophisticated research.[21]

PRESCIPTIONS FOR SUCCESS

Recent research has not only identified successful programs which could be readily adopted by any correctional agency committed to promoting effective alternatives to prison. It has also determined the principles of effective programming; principles which could and should be incorporated into most community-based programs which aim to divert offenders from prisons.[22]

The determination of the principles of effective programs was yielded by a comparative analysis of effective and ineffective programs. This analysis not only identified the principles of effective corrections. It also indicated reasons for the failure of many correctional services and programs which have been touted as alternatives to incarceration.

THE EMPEROR'S NEW CLOTHES

A major reason for the failure of many community-based alternatives is that they have provided only an alternative system or setting for the provision of a traditional service to offenders without ensuring that the nature of that service is such that it would engender offender change. Not surprisingly, poor quality programs fail no matter where they are conducted.

PROGRAM INTEGRITY

A related problem is that many programs fail to ensure that the programs which may have great potential are provided

with sufficient intensity or for sufficient lengths of time to enable them to achieve success. Many employ untrained or poorly motivated staff. Many fail to ensure that the staff actually provide the service they are supposed to provide. Many fail to ensure that their program practices are in accord with their program principles. In practice there often is no similarity between what the staff do and what the program principles (or even the title of the program) require that they do. Incarceration is often a consequence of nominalism in community programs.

Effective programs, in contrast, are intensive programs. They provide high quality intervention for adequate periods of time. Program staff are both well trained and well supervised. Managers of effective programs make continuing efforts to ensure that their programs are not diluted or bastardized; that program practices conform to program principles, and that the services that are supposed to be provided are provided. They continually monitor to ensure that people practice what they preach. In short, one requirement for a good program is good management. However, good management without quality programs will not suffice.

COMPLEX OFFENDERS/COMPLEX PROGRAMS

It is clear that effective programs are multi-facetted. We found no effective programs which relied on a single intervention technique; programs which did so were uniformly unsuccessful. There appears to be no one program approach which

can be relied upon to reduce recidivsm. Effective programs incorporate a number of modalities each of which appears to contribute to the program's positive outcome and to do so in interaction with other modalities. Without such interaction the otherwise effective modality is unlikely to yield a positive outcome. Effective programs are complex - not unlike the offenders they treat.

HOW TO TREAT

A wide variety of combinations of treatment modalities have been associated with positive outcome: contingency contracting, behavioral counselling, family intervention, employment skills training, modelling and role-playing, peer group programs, social skills training, and cognitive development training. The list is not exhaustive.

Whereas no one technique has a monopoly on success, our research suggests that there may be a number of factors which are common to effective correctional programs which account for their success. At least one common factor has been recognized: cognitive development.[23] A component analysis revealed that effective and ineffective programs differed significantly in terms of the presence of techniques which would foster the development of the offender's interpersonal problem-solving skills,teach him to consider the consequences of his behavior before he acts, and enhance his understanding of other people's behavior and feelings.

These findings accord well with a cognitive model of criminal behavior.[24] This model suggests that criminal behavior may be associated with developmental delays in the acquisition of a number of cognitive skills which are essential to social adaptation. This possibility is suggested by research which has demonstrated that many offenders have deficiencies in such cognitive functions as social perspective-taking, interpersonal problem-solving, and means-end reasoning. They tend to be egocentric, action-oriented, non-reflective, and impulsive. They tend to be concrete rather than abstract in their thinking. They are less likely to think about problem situations than to react to them, and they often "act out" without adequately analyzing the situation, calculating the consequences of their action, or considering alternative courses of action. They may lack the ability to take the perspective of other people. They remain at an egocentric state of cognitive development in which they are unable to distinguish between their own emotional states, thoughts and views and those of other people. These cognitive deficiencies impair their capacity for effective social adjustment and place them at risk for a criminal adjustment.

Effective programs utilized a variety of techniques which could be expected to enhance cognitive development (e.g. role-playing and modelling, negotiation skills training, rational-emotive therapy and specific behavior modification techniques), but all could be expected to enhance their understanding of other people's views and needs, foster their ability to solve interpersonal problems in a prosocial manner, and broaden their

social perspective beyond a narrow and egocentric view of their world. Cognitive training may equip offenders with the requisite skills for achieving a prosocial adjustment.

PROGRAM TARGETS

Programs which "work", in contrast to those which "fail", appear to be based on an adequate conceptualization of the offender's problems. Successful programs are designed to influence those characteristics of offenders which are related to recidivism. They are derived from an adequate explanation of criminal behavior. Most are based on a social learning explanation of crime[25] which views criminal behavior as behavior which is learned by exposure to criminal models and as behavior which is maintained by the rewards it yields. An adequate conceptualization of the causes of crime is essential because it specifies what aspects of the offender's functioning engender his criminal behavior, and if modified, would result in a reduction of such behavior. An adequate explanation of criminal behavior and of the factors which are associated with recidivism enable the correctional agent to select meaningful targets for intervention.

TREATMENT IN CONTEXT

We found no effective programs whose service was directed solely to engender personal change in the offender. In every case, effective programs concerned themselves with the factors

in the offender's environment which appeared to contribute to his antisocial behavior and either directly helped him to deal with these problems or taught him problem-solving skills by which he could resolve them on his own.

Effective correctional intervention cannot be achieved in a vacuum. Program managers must attend to how their program is influenced by the setting in which it is provided and by the broader social service system which can support it ... or scuttle it. Effective programs are maximally adapted to the realities of correctional practice.

CORRECTIONAL STAFF

Our analysis yielded a clear distinction between effective and ineffective programs in terms of the characteristics of the staff. Effective programs used staff who were well trained, well motivated, and well supervised. Many ineffective programs failed to employ measures to ensure that the staff were actually providing the service which the program required. Often staff members appeared to be providing services which they personally thought were appropriate, rather than the services the program called for.

As might be expected, the personal characteristics of the correctional agent appear crucial. Not everyone can be effective. Effective workers must be able to relate well to clients, but it is less important that they be models of empathy than that they be models of prosocial behavior. Essential to the effectiveness of correctional programs are correctional workers, or

volunteers, who demonstrate to their clients socially acceptable ways of achieving goals. They teach or model non-criminal alternatives to those behaviors and attitudes which have led the offender into difficulty with the law. They also reinforce the anti-criminal attitudes and behaviors of their clients and correct their anti-social behaviors.[26]

VOLUNTEERS

Although competent and industrious staff are essential to success this does not mean that they must be highly qualified in terms of academic or professional training. The vast majority of effective programs employed volunteers rather than professionals. In most instances the volunteers were unpaid graduate or undergraduate students whose positive influence may in large measure have reflected their value as models of appropriate and non-criminal prosocial behavior. However, the use of volunteers by no means guaranteed program success. The failure of many projects may be attributable to the fact that the volunteers were just required to befriend the offenders; no adequate program was involved and neither adequate training nor supervision was provided. Inadequate programs whether staffed by volunteers or professionals will fail. Untrained or poorly supervised staff can act as negative as well as positive models. Effective programs direct, control or monitor the staff-client interactions so as to ensure their rehabilitative value.

A model system for effective low-cost service delivery is the "trial model" which treats offenders by deploying non-professional adults trained by graduate students earning course credits who are, in turn, supervised by a professional in a university or government. Similar models could readily be adopted by social service agencies in the private sector.

DETERRENCE AS TREATMENT

An essential characteristic of effective staff members is that they do not compromise the agency's rules but make them clear and enforce them fairly and firmly. It is made very clear to the offender that his/her failure to live up to guidelines will have serious consequences. Firmness and justice are by no means incompatible with treatment.[27]

WHOM TO TREAT?

Offenders are a heterogeneous group. Different types of offenders need different types and different amounts of treatment. Some need no treatment at all; their encounters with criminal sanctions are sufficient to dissuade them from further illegal activity. However, the prevention of criminal activity of many others requires their involvement in some form of correctional program. The likelihood of success for such involvement will depend on how well the program fits the particular characteristics of the offender. Corrections has long searched for a program which will work for all offenders. The search is futile.

Research has demonstrated that some offenders may be harmed by some programs, i.e. their criminal activity may be increased as a result of their participation. Research has also demonstrated that different types of offenders will respond differentially to different types of treatment.[28] It is now recognized that effective correctional intervention requires careful matching of offender and intervention approach. There is a growing body of knowledge as to how offenders can be assessed as to the degree and kind of correctional intervention they require.[29]

ASSESSMENT-CLASSIFICATION

Reliable and relevant assessment or classification systems have recently been developed which can accomplish two goals: (1) appropriately and efficiently identify the level of supervision and/or custody that is required for each offender; (2) adequately determine the kind and intensity of program which is required for his rehabilitation.

Properly conceived and applied, classification can aid both the rehabilitative effort and alleviate overcrowding. However, classification is like Occam's razor; its edge cuts both ways. Unless carefully monitored, overclassification occurs, i.e. offenders are judged to require greater security than is actually necessary.[30] Greater security generally means fewer program opportunities and a more unpleasant environment. These, in turn, may lead to deterioration in behavior and lessened

opportunity to demonstrate the pro-social behavior necessary to be transferred to lesser security or to earn release on parole. As a result, overclassification can produce overcrowding.

An additional problem is that many classification systems are counterproductive to the goal of offender change because they assess risk on the basis of static variables in the offender's history (e.g. age at first arrest, number and type of prior convictions, seriousness of present offence). These are characteristics of the offender which he cannot change.

Recent research has demonstrated the value of an assessment scheme which is based not only on static variables which can predict risk, but also on characteristics of the offender which he can improve through his own efforts or with program assistance.[31] The system enables the correctional agency to meet its needs in basing housing and release decisions on adequate prediction of misconduct, escape, and recidivism. At the same time, it enables the agency to determine which program opportunities need to be provided to correct those characteristics which are associated with the offender's criminal behavior. This assessment system uses variables which are objectively defined, and the reliability of the system has been extensively demonstrated.[32] It provides a potent efficient tool for correctional decision-making for offender placement,particularly in the case of inmates who can be moved out of the prison into halfway house type environments or at least into minimum security institutions where housing costs are far less and increased flexibility in programming can be achieved.

In many prisons that are overcrowded there likely exists a meaningful percentage of inmates (10-30%) who, if classified appropriately, could be safely released to community residential settings.

THE REJECTION OF SUCCESS

We are left with a perplexing question: why, when the success of programs has been clearly demonstrated, do correctional agencies not adopt them, but persist in employing unproven techniques?

Bibliographic disability: Although all of the effective programs have been published in professional or academic journals, many correctional policy-makers are simply not aware of them. This is perhaps because they have not been widely publicized in the popular literature and most have appeared not in criminology or sociology journals but in psychology journals which are seldom read by correctional policy-makers or administrators. In some instances, discipline bound myopia has rejected useful developments in related fields.

Pervasive cynicism: The nothing works edict has been so strongly proclaimed that it has blinded correctional agencies to successful programs and made them overly suspicious of positive results.

Panaceaphilia: The criminal justice system has long suffered from two diseases: (1) panaceaphilia - an uncritical headstrong rush to adopt new remedies which are touted as cure-alls;

(2) negativitis - a total repudiation of the remedy when it fails to live up to the overly optimistic promises which heralded its introduction. Treatment programs were accepted both wholeheartedly and foolhardily as the answer to crime. When they appeared to fail to deliver, treatment was denounced in toto, and even effective programs were repudiated or ignored by critics eager to throw out the dirty bathwater ... and the baby.

MOLLYCODDLING

Treatment programs are often rejected because it is thought that they are too soft; that they pamper offenders. As we have noted, strict enforcement of rules are essential to effective treatment. There are many programs which have emphasized inmate self-government, empathy, unconditional trust, open communication,and friendship, and ignored anti-social behavior. Such programs have either had little effect on recidivism ... or have increased it.[33]

Medical model: It is often assumed that treatment programs are based on a medical or disease model of crime, i.e. a view that criminal behavior is a symptom of some underlying disease or psychopathological condition which can only be "cured" by "therapy". This is mistaken assumption. We know of no effective programs which are based on a medical model.

Effective programs are based on a much more sound conceptualization of criminal behavior. They view the offender's behavior not simply as a symptom of some disease but as a consequence of

variety of social, economic, situational, cognitive, and behavioral factors which are known to be functionally related to delinquent behavior. Their efforts are directed to modifying those aspects of the offender's environment or his behavior which are known to be correlated with recidivism. They focus on modifying well-defined behaviors, changing anti-social attitudes, correcting faulty thinking or inappropriate social perception, and developing adaptive interpersonal or vocational skills.

It is, perhaps, unfortunate that the effective programs we have identified are referred to as "treatment" programs since that implies illness, and therapy. Most of the programs consist of techniques designed to teach new skills and attitudes rather than curing "diseases". They involve training and education rather than therapy.

High-priced help: Treatment services requiring large numbers of professional staff are expensive and less than attractive to correctional agencies which seldom have a high priority in government funding. However, the most impressive results have been achieved by treatment programs in which service is not provided by professionals but by non-professional, unpaid or minimally paid volunteers. Reduced recidivism rates as high as 53% have been achieved using volunteers at costs as low as 50% to 92% of regular institutional programs.[34]

CONCLUSIONS AND RECOMMENDATIONS

Criminal justice system policy-makers concerned with reducing penitentiary populations have several options. They can attempt to reduce the number of offenders who are sent to prisons or the length of time they must remain by changing laws, sentencing, or release procedures. These strategies involve major system changes which are difficult to implement. They also necessitate major educational programs for the judiciary, parole boards and the public and they may have only short-term benefits. The policy-makers can increase the use of the large number of community programs which have been developed as alternatives to prison sanctions. According to the available research, unless such programs are substantially improved, this strategy would probably have only minimal or transient benefits in reducing penitentiary programs. They can attempt to dissuade offenders from committing crimes by using environmental design strategies to remove opportunities, or they can attempt to deter offenders by increasing the likelihood of apprehension and the severity of penalties. Such strategies may also have only minimal and temporary benefits and may not be effective for the type of offender who is likely to be committed to or recidivate to a penitentiary. In short, policy-makers have the option of recommending unproven methods which may be expensive, difficult to implement and transient in their impact on penitentiary populations.

Another option is refine present criminal justice services and to introduce changes such as the foregoing in such a way that such services become effective. Research has demonstrated that there are strategies and programs which can be successful in changing offenders so that they are unlikely to persist in criminal behavior which would lead to their incarceration or their return to prison. These programs are cost-effective and have long-term benefits.

The research we have reviewed justifies the following recommendations:

1. Community and institutional programs which are presently in place and those which are being considered should be evaluated in terms of the principles of effective corrections which have been identified by comparison of effective and ineffective programs. They should be evaluated not only on their efficacy but also on their intensity, their integrity, their conceptualization of the causes of criminal behavior, their goals, and the quality and industry of their staff. Programs should be refined according to these principles in order to increase the probability that they can engender offender change.

2. Policy-makers should promote the implementation of those programs which research has demonstrated to be effective.

3. Programs specifically designed to enhance offenders' cognitive development and social skills appear to have particular promise for institutional and community residential settings and should be implemented in controlled studies.

4. An analysis of research studies on the outcome of community corrections programs should be conducted using recently developed meta-analysis techniques to ascertain what characteristics (system, program modality, offender type, and setting) are most associated with success.

5. A reliable and efficient classification system based on recent research on combined risk and needs assessment should be developed and implemented by correctional agencies. Such a system has the potential of guiding rehabilitation efforts and alleviating overcrowding.

6. Research should be conducted to identify which offender types contribute the most to prison overcrowding. Program efforts in community and prison settings should be concentrated on such offenders.

REFERENCE NOTES

1. The quantity and quality of the research on such issues, though limited, is consistent: Austin & Krisberg (1982); Heijder (1983); Mullen (1981); Roesch & Corrado (1983).

2. New sanctions are nearly always an alternative to sanctions which already exist (Heijder, 1980; McSparron, 1980).

3. Although there are shortcomings in the adequacy of the data, this is the general conclusion of research in the U.K., U.S.A., and Canada (e.g. Heijder, 1980; Hylton, 1981; Verin, 1974).

4. Recidivism rates of offenders released from secure institutional settings differ very little from those of offenders who have participated in alternative programs (Greenberg, 1974). Evaluations of the effectiveness of halfway houses concludes they have not been found to be any more effective than prison (Latessa & Allen, 1982).

5. The largest growth in U.K. prisons can be attributed to the effect of activated suspended sentences (Baldock, 1980). Providing effective programs for offenders on suspended sentences could yield impressive reductions in prison populations.

   A substantial number of the admissions to prison consist of the same offender returning. Such individuals need to be changed, not just diverted ... unsuccessfully.

6. Gendreau & Ross (1979); Ross & Gendreau (1980); Gendreau & Ross (1981).

7. Clarke (1980).

8. Newman (1973).

9. Moore (1983); Rubenstein et al (1980); Titus (1983).

10. Ciral et al.(1977).

11. Fowler & Mangione (1982).

12. Kushmak & Whittemores (1981).

13. Clarke & Mayhew (1980).

14. It should be noted that deterrence is often meant not to affect the individual directly (specific deterrence) but to provide an example or symbol that crime does not pay (general deterrence).

15. Palmer (1977).

16. Blumstein et al (1978); Fattah (1982); Gendreau & Ross (1981); Gibbs (1975 & 1982); Hagan (1982).

17. The most dramatic demonstration of deterrence witnessed in Western society came from the Jamaican legislation which provided for indeterminate prison sentence for possession of firearms. The full power of the law, courts and police were utilized. There were marked decreases in several serious crimes. However, the results lasted for only several months (Gendreau & Surridge, 1978).

18. e.g. Fishman (1977); Kassebaum, Ward & Wilner (1971); Martinson (1974); Robinson & Smith (1971); Wright & Dixon (1977).

19. Martinson whose 1974 review had the most influence,has rescinded his conclusion that almost nothing works: "... contrary to my previous position, some treatment programs do have an appreciable effect on recidivism... the evidence in our survey is simply too overwhelming to ignore" (1979).

20. Gendreau & Ross (1979 & 1981); Ross & Gendreau (1980); 1981).

21. ibid.

22. Gendreau & Ross (1983).

23. Ross & Fabiano (1981); Ross & Fabiano (1982).

24. Ross & Fabiano (1983).

25. e.g. Bandura & Walters (1963); Ross & Fabiano (1983).

26. Andrews & Kiessling (1980).

27. ibid. It is possible that some community programs may increase criminal behavior since they may be perceived by offenders as getting away with it ... again.

28. Jesness (1975); O'Donnel, Lydgate & Fo (1980).

29. Barkwell (1980); Andrews & Kiessling (1980); Lee & Haynes (1980); Wade et al (1977); Seidman et al (1980).

30. Clements (1982).

31. Andrews (1983). The system is also based on a social learning theory of criminal behavior - the model which has most often been associated with effective programs.

33. Andrews (1979).

34. Davidson & Robinson (1975); Phillips et al (1973); Blakely, Davidson & Saylor (1980).

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